

Federal lands takeover would harm the public

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The transfer of 31 million acres of land managed by the federal government to Utah would hinder public land management reforms and harm the state, according to a newly released analysis by researchers at the Wallace Stegner Center for Land, Resources and Environment at the University of Utah's S.J. Quinney College of Law.

The analysis offers a stark look at potential ramifications of the land transfer, which was ordered when H.B. 148 (also known as Utah's Transfer of Public Lands Act) passed into law in 2012. The law ordered the federal government to transfer to the state millions of acres of public land by Dec. 31, 2014—the issue is still pending and the transfer has not yet occurred.

John Ruple, research associate professor, and Bob Keiter, a distinguished professor of law and Stegner Center director, carried out the analysis of the proposed land transfer. The researchers argue that while supporters of Utah's Transfer of Public Lands Act claim that the state would manage for multiple uses if Utah took ownership of land currently owned by the [federal government](#), economic realities would force Utah to dramatically increase oil and gas development in order to cover new management expenses.

Utah would likely also be forced to increase the rates it charges to all who access what were formerly public lands—including grazing permittees, mineral developers, hunters, anglers, and other recreational users, Ruple and Keiter found. And the public would also have less

influence in land management decisions because federal planning and public input laws would not apply, and Utah has no comparable land planning or public participation requirements.

"If Utah succeeds in taking over federal public lands the state would have no choice but to dramatically increase development," said Ruple. "Furthermore, the public would have less, not more, input into land management, and all who utilize what are now public lands—industry and recreation interests alike—would likely see the cost of access increase substantially. In short, the public would suffer from this misguided effort."

Ruple and Keiter concluded in an earlier that Utah has no legal basis to demand title to federal public lands.

The analysis comes after the December release of report that concluded the proposed federal land transfer would cause a major economic shift in the state.

More information: papers.ssrn.com/sol3/papers.cfm?abstract_id=2516004

Provided by University of Utah Health Sciences

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